



INVESTIGATIVE REPORT

Lori Torres, Inspector General

INSPECTOR GENERAL REPORT

OFFICE: DEPARTMENT OF CORRECTION (DOC)
TITLE: DOC CASE WORKER GHOST EMPLOYMENT
CASE ID: 2017-08-0179
DATE: March 13, 2018

Inspector General Chief Legal Counsel, Tiffany Mulligan, after an investigation by Special Agent Mark Mitchell, reports as follows:

The Indiana General Assembly charged the Office of the Indiana Inspector General (OIG) with addressing fraud, waste, abuse, and wrongdoing in executive branch agencies of state government. IC 4-2-7-2(b). The OIG also investigates allegations of criminal activity and Code of Ethics violations within state government. IC 4-2-7-3.

On March 15, 2017, the OIG received a request from the Indiana Department of Correction (DOC) to investigate three DOC employees (the Employees) for possible ghost employment. All of the Employees worked as Correctional Caseworkers at a DOC facility (the Facility). The request stemmed from an internal investigation conducted by DOC investigators.

OIG Special Agent Mark Mitchell conducted an investigation. Special Agent Mitchell first interviewed DOC investigators, who provided an overview of their investigation into the Employees' possible ghost employment. The investigators explained that they reviewed the Employees' key and transactional logs for certain time periods. These logs are maintained by DOC's computerized key monitoring system and show the time stamps documenting when an employee logs into a key cabinet to remove and replace the keys he or she uses each day to enter and exit the correctional facility. They compared these logs and the time stamps on security video showing when the Employees arrived and left the Facility with the time the Employees reported

on their A4s, which are the forms that the Facility's caseworkers use to report their time. The DOC investigators' review found that the key logs only matched the time the Employees' reported on their A4s on occasion. For the rest of the time period reviewed, the Employees over reported their time.

The DOC investigators told Special Agent Mitchell that they reported their findings to the local prosecutor and to the Facility. The Facility terminated two of the Employees for failure to provide accurate information on their A4s. One of the Employees resigned from DOC.

On July 14, 2017, Special Agent Mitchell spoke with the local prosecutor and discussed the investigation with her. She said she would not pursue a ghost employment charge, but she would entertain a possible theft and/or official misconduct charge if the OIG could determine the amount of financial loss the State had suffered and provide evidence of the theft.

Special Agent Mitchell requested a copy of the Employees' job descriptions and an estimated dollar loss for the time periods the DOC investigators reviewed. The DOC investigators provided Special Agent Mitchell with this information. After additional review, Special Agent Mitchell determined that the Employees over reported a total of approximately eighty hours of time, for a total loss of approximately \$1500.

Special Agent Mitchell asked DOC for a copy of the video footage DOC used to compare with the key log and A4's and informed DOC that we would need the person who does the payroll to document the amount of loss the State suffered and be able to testify in court. He also requested a copy of the Employees' personnel files. The DOC investigators said that they did not preserve the video footage, but they still had prints from the video footage that are date and time stamped of the Employees entering and exiting the Facility.

Special Agent Mitchell obtained a copy of the Employees' personnel files, their A4s, scanned copies of the still photos taken of the Employees entering and leaving the Facility, and

the transactional reports from DOC's computerized key monitoring system. He conducted a review of the key and transactional logs used by DOC in their internal investigation for the time periods reviewed and found several discrepancies in the two transactional logs. The two logs did not capture the time that the keys were returned by the Employees and the times the Employees signed out of the key locker at the end of their shifts for the time periods reviewed. These discrepancies made it difficult to determine with any accuracy the time the Employees ended some of their work shifts and raises questions about the accuracy of these logs.

Special Agent Mitchell discussed these time discrepancies with the DOC investigators who explained that they are often caused when there is more than one individual entering the key locker at the same time. This may occur when the first person logs in or out of the locker to take or replace keys and another individual may take or return keys without logging in or out of the key locker. The DOC investigators said employees are not assigned a specific key to use; instead caseworkers have multiple keys within an assigned number series that they can randomly select from that series to use for that day.

The OIG's investigation confirmed that the Employees violated DOC policy by not properly logging out of the key locker on several days; however, the OIG did not find sufficient evidence that the Employees violated the Code of Ethics or criminal code. More specifically, the discrepancies that Special Agent Mitchell identified in the key and user transaction reports along with the lack of video footage make it difficult to provide sufficient evidence to support a criminal prosecution or a Code of Ethics violation.

DOC's investigators should be commended for thoroughly investigating potential ghost employment within their facilities and obtaining evidence of policy violations. To maintain better evidence of potential criminal code or Code of Ethics violations, DOC should continue to look for ways to strengthen their time reporting policies and systems. DOC is in the best position to

determine how best to strengthen their time reporting policies and systems depending on their agency's resources.

For the above reasons, the OIG is closing this investigation for insufficient cause.

Dated: March 13, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive style with a long horizontal stroke at the end.

Lori Torres, Inspector General